

HAWAII STATE

HOUSE OF REPRESENTATIVES

REGULAR SESSION OF 2012

ROUGH DRAFT
JOURNAL

FORTY-SECOND DAY

APRIL 2, 2012

OFFICE OF THE CHIEF CLERK

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FORTY-SECOND DAY

Monday, April 02, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:07 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Speaker Emeritus Joseph M. Souki, after which the Roll was called showing all Members present with the exception of Representatives Awana, Carroll, Hashem, Oshiro and Wooley, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-First Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 430 through 434) were received and announced by the Clerk:

Sen. Com. No. 430, transmitting H.B. No. 1858, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE INFORMATION," which passed Third Reading in the Senate on March 30, 2012.

Sen. Com. No. 431, transmitting H.B. No. 2841, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT," which passed Third Reading in the Senate on March 30, 2012.

Sen. Com. No. 432, transmitting S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM JULY 13, 2012, AS "COLLECTOR CAR APPRECIATION DAY"," which was adopted by the Senate on March 30, 2012.

Sen. Com. No. 433, transmitting S.C.R. No. 5, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS AND WOMEN ON ACTIVE DUTY," which was adopted by the Senate on March 30, 2012.

Sen. Com. No. 434, dated March 30, 2012, informing the House that the Senate has on March 28, 2012, agreed to the amendments proposed by the House to the following Senate Bill and that said bill has this day passed Final Reading:

S.B. No. 2648, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE."

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Ward introduced and welcomed the Honorable Hadi Martono, Consul General of the Republic of Indonesia in Los Angeles. He was accompanied by:

Mr. Edi Suharto, Consul for Exonomic and Tourism Affairs fo the consulate General of Indonesia in Los Angeles;

Dr. Reed Dasenbrock, Vice Chancellor of Academic Affairs at the University of Hawaii at Manoa;

Mr. Amin Leiman, President, Hawaii –Indonesian Chamber of Commerce;

Mr. Dick Baker, Director of the Hawaii-Indonesian Chamber of Commerce;

Mr. Erenst Anip, Vice President of the Indonesian Students Association at the University of Hawaii at Manoa;

Mr. Sidney Higa, Director of the Hawaii-Indonesian Chamber;

Mr. Eugene Hamamoto, Member of the Hawaii-Indonesian Chamber;

Mr. Freedom Kapono Dennis, Hawaii Indonesian entrepreneur;

Ms. Emy Williams, supporter of the Bali-Hawaii Sister-State agreement;

Ms. Annie and Mr. Made Widana, traditional Balinese dancers from the East-West Center performing today; and

Ms. Sara Fukumoto, Representative Ward's Office Manager.

Representative Kawakami introduced Kauai County Councilmember, Mr. Mel Rapozo, President of the Hawaii State Association of Counties.

Representative Manahan introduced members of the Filipino Jr. Chamber of Commerce:

Mr. Randy Cortez, Executive Vice President;
Mr. Niccolo Gruta, Membership Vice President;
Mr. Jay Raymundo, Chairman; and
Mr. Garrett Hiranaka.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 193) was announced by the Clerk and the following action taken:

H.R. No. 193, entitled: "HOUSE RESOLUTION CONGRATULATING CHERYL AGCAOILI, DESIREA AGUINALDO-HELISHAM, RIA BALDEVIA, RADIANT CORDERO, KRISTIAN LEI, ZHOYDELL MAGAOAY, YVONNE MIDKIFF, MARGARET PASCUAL, GABRIEL TORNIO, AND ROUEL VELASCO FOR BEING RECOGNIZED AS THE TEN OUTSTANDING YOUNG FILIPINOS OF 2011," was jointly offered by Representatives Cullen and Aquino.

Representative Cullen moved that H.R. No. 193, be adopted, seconded by Representative Aquino.

Representative Cullen introduced the honorees seated on the Floor of the House:

Ms. Cheryl Agcoaili, a teacher at Fil4Kids, for teaching and perpetuating the Filipino language and culture, as well or instilling high moral and ethical standards in her students;

Ms. Desirea Aguinaldo-Halsham, Co-founder and Chief Executive Officer of One-Source, Inc., and the Outstanding Young Entrepreneur of the Year 2011-2012 by the Filipino Chamber of Commerce; and

Ms. Radiant Cordero, an intern with Vice Speaker Manahan, for her service to community and nurturing young leaders, instilling in them positive character development and leadership skills.

Representative Aquino introduced additional honorees seated on the Floor of the House:

Ms. Kristian Lei, international performing artist, educator and founder of Honolulu Broadway Babies, who has held leading roles in theatrical performances around the world;

Mr. Zhoydell Magaoay, a Student Services Coordinator and teacher at Farrington High School, for his dedicated service as a social worker;

Ms. Yvone Midkiff, a field engineer with Charles Pankow Builders and recipient of the Hawaii Business News '20 for the Next 20' Award in 2010;

Mr. Gabriel Torno, founder and director of Tekniqlingz, and publisher of *Diary of a Jolliebee Kid*, and active member of the Honolulu Filipino Junior Chamber of Commerce; and

Mr. Rouel Velasco, Operations Coordinator of the Associated Students of the University of Hawaii at Manoa, for encouraging student leaders to serve their peers and inspiring young people to make a difference in their communities.

Representative Pine, on behalf of the Minority Caucus, congratulated the honorees for their community service and cultural pride.

Representative Cabanilla, on behalf of the Filipino Caucus, thanked the honorees for inspiring others and making the Filipino community proud.

The motion was put to vote by the Chair and carried, and H.R. No. 193, was adopted, with Representatives Carroll, Oshiro, Saiki and Wooley being excused.

The following resolution (H.R. No. 194) was announced by the Clerk and the following action taken:

H.R. No. 194, entitled: "HOUSE RESOLUTION CONGRATULATING AND RECOGNIZING THE JAMES CAMPBELL HIGH SCHOOL 2011 GATOR BOWL NATIONAL CHEERLEADING CHAMPIONS," was jointly offered by Representatives Pine and Cullen.

Representative Pine moved that H.R. No. 194, be adopted, seconded by Representative Cullen.

Representative Pine praised the James Campbell High School Varsity Cheerleaders for their dedication and team spirit which led them to be named the 2011 Gator Bowl National Cheerleading Champions.

Representative Cullen then introduced the honorees representing the Saber Cheerleaders who were seated on the Floor of the House:

Ms. Naomi Takamori, Principal at James Campbell High School;
Mr. Samuel Delos Reyes, Athletic Director;
Ms. Wendy Kahoaka-Wright, Head Coach;
Ms. Violetta Wright, Assistant JV Coach; and
Ms. Rustean Cullen-Utu, Team Captain and niece of Representative Cullen.

Representative Cabanilla then recognized additional team members and the many family and friends seated in the Gallery:

Ms. Tristan Cullen, Assistant Coach; and
Varsity Team Captains – Ms. Rheyann Quisano, Ms. Juviee Dela Cruz, and Ms. Raven Parado.

The motion was put to vote by the Chair and carried, and H.R. No. 194, was adopted, with Representatives Carroll, Saiki and Wooley being excused.

At 12:35 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:57 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering

certain Senate Bills for Third Reading by consent calendar. (Representatives Carroll, Saiki and Wooley were excused.)

UNFINISHED BUSINESS

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1412-12) recommending that S.B. No. 2222, SD 2, as amended in HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2222, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations, and just a brief comment. I understand the serious problem that this bill is trying to address, but I fear that this might be overly broad and criminalize such innocent behavior as taking a picture of a baby in a bubble bath and sending it to interested grandparents. So, because of that, I just want to register my reservations on this measure."

Representative McKelvey rose in support of the measure with reservations and asked that the remarks of Representative Belatti be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Pine rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine written remarks are as follows:

"I strongly support SB 2222, which would make it illegal for minors to electronically transmit nude pictures of themselves or other minors. The internet and other information technologies have added to our lives in a variety of ways; however, they have also created lurking dangers due to the nature of information technologies to rapidly transfer and disseminate materials. Our young people may find themselves in compromising situations if we don't send the message to them that the act of transferring nude images of minors is dangerous. We must take this opportunity to protect our youth from lurking dangers."

Representative Takumi rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. With reservations. My reservation is that obviously not about the sections with adults dealing with minors and these graphic images. My concern is for minors to minors. We all know kids do what kids do. And we may not like that kind of behavior, but I just find it kind of ironic that we can have two 17 year olds engage in sex with each other, and yet we're going to criminalize them sending pictures to each other. It just seems very odd to me. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. I rise with strong, strong reservations and have similar comments. I wish to have the remarks from the Chair of Education as my own," and the Chair "so ordered." (By reference only.)

Representative Giugni rose in support of the measure with reservations and asked that the remarks of Representative Belatti be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Awana rose in support of the measure with reservations and asked that the remarks of Representatives Belatti and Takumi be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2222, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL IMAGES PRODUCED BY MINORS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Saiki and Wooley being excused.

At 12:59 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 2222, SD 2, HD 1

REPORTS OF STANDING COMMITTEES

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented two reports:

(Stand. Com. Rep. No. 1414-12), recommending that H.R. No. 147, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1415-12), recommending that H.C.R. No. 190, as amended in HD 1, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 147, HD 1; and H.C.R. No. 190, HD 1, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose to speak in support of both measures, stating:

"Mr. Speaker, Stand. Com. Nos. 1414 and 1415 are job creators, not job killers. It's exciting that in the beginning of industry in Hawaii it was whaling and sandalwood. And what I understand is taking place on the Big Island with millions of trees being planted. This can be a revival of agriculture, growing vertically. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 147, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF THE HARVESTING OF HAWAIIAN SANDALWOOD," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused; and

H.C.R. No. 190, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF THE HARVESTING OF HAWAIIAN SANDALWOOD," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented two reports:

(Stand. Com. Rep. No. 1416-12), recommending that H.R. No. 7, be referred to the Committee on Legislative Management; and

(Stand. Com. Rep. No. 1417-12), recommending that H.C.R. No. 9, be referred to the Committee on Legislative Management.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 7; and H.C.R. No. 9, be referred to the Committee on Legislative Management, seconded by Representative Evans.

Representative M. Lee rose to speak in support of both measures, stating:

"Mr. Speaker, on Stand. Com. Rep. Nos. 1416 and 1417, HR No. 7 and HCR No. 9. I'd like to insert written comments in support, and just mention that these Resos are the continuation of a bill that was requested by students at the University of Hawaii School of Nursing. They felt it was a very important issue to explore. Thank you."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HCR 9 and HR 7, which requests the Auditor to conduct an impact assessment report pursuant to sections 23—51 10 and 23—52, Hawaii Revised Statutes, of the social and financial effects of mandating coverage for fertility preservation procedures for persons who are of reproductive age and have been diagnosed with cancer, and will undergo treatment that may adversely affect the person's fertility as further described by HB 2105 (Regular Session of 2012.)

"Each year approximately 140,000 people under the age for 45 are diagnosed with cancer and many are at risk for permanent infertility because of harsh cancer treatment. Most insurance companies do not consider assisted reproductive procedures prior to cancer treatment as a covered benefit resulting in high out-of-cost expenses. We need to do all we can to give cancer survivors an opportunity to build a family; an opportunity that might be unattainable due to the high costs of fertility preservations. The passage of these Resolutions is necessary to continue the discussion on how to best provide fertility preservation coverage. Therefore, I urge your support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 7, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was referred to the Committee on Legislative Management, with Representatives Carroll, Saiki, Ward and Wooley being excused; and

H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was referred to the Committee on Legislative Management, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1418-12), recommending that H.C.R. No. 183, be referred to the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 183, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A FINANCIAL AND PERFORMANCE AUDIT OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Legislative Management, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1419-12), recommending that H.R. No. 146, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 146, entitled: "HOUSE RESOLUTION URGING UNIVERSITY OF HAWAII WEST OAHU TO ESTABLISH A GRADUATE-LEVEL INFORMATION ASSURANCE PROGRAM," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1420-12), recommending that H.C.R. No. 189, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 189, entitled: "HOUSE CONCURRENT RESOLUTION URGING UNIVERSITY OF HAWAII WEST OAHU TO ESTABLISH A GRADUATE-LEVEL INFORMATION ASSURANCE PROGRAM," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representatives Aquino and Souki, for the Committee on Public Safety & Military Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1421-12), recommending that H.R. No. 171, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.R. No. 171, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HOMELAND SECURITY TO EXTEND THE HOURS OF OPERATION OF THE TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL ENROLLMENT CENTER ON OAHU AND TO OPEN A SECOND CENTER LOCATED AROUND THE PORT AREA OR WEST OF THE PORT AREA ON OAHU," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representatives Aquino and Souki, for the Committee on Public Safety & Military Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1422-12), recommending that H.C.R. No. 222, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 222, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HOMELAND SECURITY TO EXTEND THE HOURS OF OPERATION OF THE TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL ENROLLMENT CENTER ON OAHU AND TO OPEN A SECOND CENTER LOCATED AROUND THE PORT AREA OR WEST OF THE PORT AREA ON OAHU," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1423-12), recommending that H.R. No. 168, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 168, entitled: "HOUSE RESOLUTION URGING THE PRESERVATION OF RESEARCH AND DEVELOPMENT FUNDING IN THE PENTAGON BUDGET," was referred to the Committee on Economic Revitalization & Business, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1424-12), recommending that H.C.R. No. 217, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 217, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESERVATION OF RESEARCH AND DEVELOPMENT FUNDING IN THE PENTAGON BUDGET," was referred to the Committee on Economic Revitalization & Business, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1425-12), recommending that H.R. No. 169, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 169,

entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, CHAIRPERSON OF THE JOINT CHIEFS OF STAFF, SECRETARY OF DEFENSE, HAWAII CONGRESSIONAL DELEGATION, GOVERNOR, AND CHAMBER OF COMMERCE OF HAWAII – MILITARY AFFAIRS COUNCIL, TO DO EVERYTHING WITHIN THEIR POWER AND INFLUENCE TO RETAIN MILITARY AND DEFENSE-RELATED CIVILIAN JOBS IN HAWAII," was referred to the Committee on Economic Revitalization & Business, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1426-12), recommending that H.C.R. No. 218, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, CHAIRPERSON OF THE JOINT CHIEFS OF STAFF, SECRETARY OF DEFENSE, HAWAII CONGRESSIONAL DELEGATION, GOVERNOR, AND CHAMBER OF COMMERCE OF HAWAII – MILITARY AFFAIRS COUNCIL, TO DO EVERYTHING WITHIN THEIR POWER AND INFLUENCE TO RETAIN MILITARY AND DEFENSE-RELATED CIVILIAN JOBS IN HAWAII," was referred to the Committee on Economic Revitalization & Business, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1427-12), recommending that H.R. No. 172, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 172, entitled: "HOUSE RESOLUTION ENCOURAGING THE UNITED STATES DEPARTMENT OF DEFENSE TO PROCURE GOODS AND SERVICES THAT ARE USED TO SUPPORT HAWAII-BASED UNITED STATES MILITARY PERSONNEL AND FACILITIES FROM HAWAII BUSINESSES AND TO COOPERATE WITH THE CHAMBER OF COMMERCE OF HAWAII TO HOST TRADE SHOWS THAT FEATURE LOCAL BUSINESSES," was referred to the Committee on Economic Revitalization & Business, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1428-12), recommending that H.C.R. No. 223, be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE UNITED STATES DEPARTMENT OF DEFENSE TO PROCURE GOODS AND SERVICES THAT ARE USED TO SUPPORT HAWAII-BASED UNITED STATES MILITARY PERSONNEL AND FACILITIES FROM HAWAII BUSINESSES AND TO COOPERATE WITH THE CHAMBER OF COMMERCE OF HAWAII TO HOST TRADE SHOWS THAT FEATURE LOCAL BUSINESSES," was referred to the Committee on Economic Revitalization & Business, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1429-12), recommending that H.R. No. 167, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 167, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES ARMED SERVICES COMMITTEE AND SUBCOMMITTEE ON MILITARY PERSONNEL TO ACT FAVORABLY ON H.R. 2148 AND TO REPORT THE BILL TO THE UNITED STATES HOUSE OF REPRESENTATIVES FOR FURTHER

ACTION," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1430-12), recommending that H.C.R. No. 216, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES ARMED SERVICES COMMITTEE AND SUBCOMMITTEE ON MILITARY PERSONNEL TO ACT FAVORABLY ON H.R. 2148 AND TO REPORT THE BILL TO THE UNITED STATES HOUSE OF REPRESENTATIVES FOR FURTHER ACTION," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1431-12), recommending that H.R. No. 87, be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 1432-12), recommending that H.C.R. No. 115, be referred to the Committee on Judiciary.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 87; and H.C.R. No. 115, be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Johanson rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. I wish to speak with reservations on Stand. Com. Rep. Nos. 1431 and 1432. Thank you, and just brief comments. I think the Resolutions introduced had a very worthy intent here which is why I'm still voting in support with reservations. I don't think anyone in the Body would like to have indefinite detention of American citizens and their respective abridgement of constitutional rights or their civil liberties.

"What I am unclear about, and I think because it is unclear on the national level, is the nexus with the protection of national security. That's still a dialogue that's ongoing at the federal level. And because of that, and because of the Resolutions are calling for the repeal of sections 1021 and 1022, I'm just unsure of the potential adverse consequence, should that ultimately be the case at the federal level. So with that, I do want to honor the intent of the Resolutions and support it. I do want to support it, but I did want to express some reservations. Thank you."

Representative Fontaine rose in support of both measures with reservations and asked that the remarks of Representative Johanson be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Pine rose in support of both measures with reservations and asked that the remarks of Representative Johanson be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching rose in support of both measures with reservations and asked that the remarks of Representative Johanson be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Marumoto rose in support of both measures with reservations and asked that the remarks of Representative Johanson be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Souki rose to speak in opposition to both measures, stating:

"Yes, Mr. Speaker. I'm a veteran also, and I would want to declare a no vote for these measures here. Because the world situation as it is now, I

think it's impossible to determine a time and date when hostilities will end. Thank you, very much."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 87, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO REPEAL THE MANDATORY MILITARY DETENTION AND INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 AND AMEND THE AUTHORIZATION FOR USE OF FORCE," was referred to the Committee on Judiciary, with Representative Souki voting no, and with Representatives Carroll, Saiki, Ward and Wooley being excused; and

H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO REPEAL THE MANDATORY MILITARY DETENTION AND INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 AND AMEND THE AUTHORIZATION FOR USE OF FORCE," was referred to the Committee on Judiciary, with Representative Souki voting no, and with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1433-12), recommending that H.R. No. 13, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1434-12), recommending that H.C.R. No. 19, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 13; and H.C.R. No. 19, be referred to the Committee on Finance, seconded by Representative Evans.

Representative Pine in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"I strongly support HR 13 and HCR 19, which urges the United States Department of Veterans Affairs and the Hawaii Office of Veteran Services to focus on developing programs to address the needs of women returning from war. I am proud to stand up for our service women because they have been incredibly brave risking their lives to protect our country and values. It is essential that these women are welcomed home from the trials of war with programs that address their specific needs. With fifteen percent of veterans being women and an absence of programs which support their specific challenges, the need to create a support network for them has never been stronger.

"This is why I strongly support HR 13 and HCR 19, which urges the United States Department of Veterans Affairs and the Hawaii Office of Veteran Services to make developing programs to address the needs of women returning from war a priority."

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"May I have a ruling on a potential conflict, Mr. Speaker? I'm a woman and I'm a veteran," and the Chair ruled, "no conflict."

Representative Cabanilla continued to speak in support of both measures, stating:

"I also would like to say that, woman veterans do have special needs. Yes, in strong support. Thank you."

Representative Marumoto rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"Mr. Speaker I rise in strong support of these Resolutions. Women, as well as men have served our country faithfully since the Revolutionary War. Women are currently the fastest growing population within the veteran's community, making up nearly 10% of the veteran population. In Hawaii, we have over 11,000 women veterans.

"These women veterans have fought side by side with their brothers in arms and experienced the same struggles and problems that many veterans face upon returning home from service. However, our women soldiers have different needs and they are currently not being addressed. A person familiar with women vets sees a huge need for dental services. And though not an expert in problems faced by women veterans, I have communicated with one military psychiatrist. Apparently there are many unmet needs of women vets, but there is apparently a gulf in knowledge on how women differ from men in dealing with many issues such as PTSD. Men may be more prone to acting out while women tend to react internally exhibiting fear, irritability, depression and other symptoms that adversely affect spouses and children.

"And while there are many residential facilities for men, I understand there may be only one for women, and that one may pertain only to issues arising from sexual assault and child molestation. If research studies were conducted it would show a lack of hospital and residential programs, as well as community programs.

"Let's show our appreciation to all those who have served in uniform and need our help!"

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 13, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused; and

H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1435-12), recommending that H.R. No. 56, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 56, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF VETERANS SERVICES TO CONVENE A VETERANS' SUMMIT IN EACH OF THE VARIOUS COUNTIES AND A STATEWIDE SUMMIT TO DEVELOP AND PROMOTE COLLABORATION AMONG THE PUBLIC AND PRIVATE ENTITIES THAT PROVIDE SERVICES TO VETERANS," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1436-12), recommending that H.R. No. 157, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1437-12), recommending that H.C.R. No. 203, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 157; and H.C.R. No. 203, be referred to the Committee on Finance, seconded by Representative Evans.

Representative McKelvey rose to speak in support of both measures, stating:

"Mr. Speaker, I just would like to speak in strong support for Stand. Com. Nos. 1436 and 1437, and would like permission to enter written comments into the Journal. And just a brief verbal comment. This is very long overdue. And considering what has happened in the past, which our former colleague from Kahului has reminded us in the past, this is really important. So again, thank you, Mr. Speaker."

Representative McKelvey's written remarks are as follows:

"The Pu'unene region, a former sugar plantation area, includes large tracts of public lands, lands owned by the Department of Hawaiian Home Lands and lands set-aside to the Maui County. Several State agencies (including the Department of Public Safety, Department of Land and Natural Resources, Department of Hawaiian Home Lands, and the Department of Accounting and General Services) along with Maui County have been actively working together to coordinate the planning and future development of these public lands, including the proposed Maui Regional Public Safety Complex at Pu'unene, Maui. I strongly support HR 157/HCR203 that requests the Department of Public Safety to enter into a public-private partnership agreement for the planning, design, construction, turnkey, and financing of a new Maui Regional Public Safety Complex at Puunene, Maui.

"The Department of Public Safety holds as part of their mission the assurance of the safety of Hawaii's communities through the provision of correctional services with professionalism, integrity and fairness. I also acknowledge that many of the State's inmates are Native Hawaiian and I support their need for family support as a means of rehabilitation and integration back into society. Returning incarcerated persons from the mainland benefits the economic and societal concerns of Hawaii's citizens.

"The addition of the Maui Regional Public Safety Complex at Pu'unene would replace the aging Maui Community Correctional Center and provide care and custody of both jail and prison inmates while expanding on its present capabilities. The complex will bring much needed infrastructure to this region. With the road and water infrastructure, the development of agricultural lots, as well as commercial and industrial parcels become possible which can create much needed jobs to the area.

"Alternative financing methods should be encouraged especially during a time when the State must exercise economic prudence. These efforts will directly benefit the public, provide an economic stimulus to the local economy, and enable an expedited construction of the project. It should be noted that such financing agreements have been used by the State for other projects as an alternative mechanism through which much needed public facilities may be constructed without having to provide the funding upfront. Looking to the future, the new Maui Regional Public Safety Complex will not only alleviate the overcrowding and need for modernization at the Maui Community Correctional Center it will also meet the future growth of the inmate population."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 157, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING, DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF A NEW MAUI REGIONAL PUBLIC SAFETY COMPLEX AT PUUNENE, MAUI," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused; and

H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER

INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING, DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF A NEW MAUI REGIONAL PUBLIC SAFETY COMPLEX AT PUUNENE, MAUI," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Ay 1:08 o'clock p.m. Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:10 o'clock p.m.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1438-12), recommending that H.R. No. 170, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1439-12), recommending that H.C.R. No. 219, be referred to the Committee on Finance.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 170; and H.C.R. No. 219, be referred to the Committee on Finance, seconded by Representative Evans.

Representative McKelvey rose in support of both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"The Narcotics Enforcement Division of the Department of Public Safety serves and protects the public by enforcing State laws pertaining to controlled substances and protects the public by enforcing State laws pertaining to controlled substances and regulated chemicals. They are responsible for the registration and control of the manufacture, distribution, prescription, and dispensing of controlled substances and precursor or essential chemicals within the State.

"The Narcotics Enforcement Division has recently provided written notification to veterinarians that compulsory reporting to them would commence on January 31, 2012. This Division oversees the Electronic Prescription Accountability System that was established by the Uniform Controlled Substances Act (Chapter 329, Hawaii Revised Statutes). Having never been required to comply with the Electronic Prescription Accountability System the veterinarians have voiced concern about the impact that this process would have on their practices fiscally and otherwise. I find that it would be reasonable to allow veterinarians to use a simplified reporting system for drugs prescribed, given the different nature of their practice as compared to that of the pharmacies.

"By having the Department of Public Safety develop a simplified version of the Electronic Prescription Accountability System for veterinarians perhaps these small businesses will be able to better transition into the new procedures without damaging their business. This measure also provides a reasonable period of time after the Department has developed the simplified version before the veterinarians are compelled to commence their reporting under the system.

The prescribed drugs used in a veterinary practice and the dosages used are in many cases different from those used by humans. In the creation of a simplified version of the reporting system the Department of Public Safety may also benefit as they will be able to track these drugs under this system with an acumen of the amounts used in the typical veterinary practice. Finally, this measure informs the Governor, Senate President, House Speaker, Director of Commerce and Consumer Affairs, and the President of the Executive Board of the Hawaii Veterinary Medical Association prior to the 2013 Regular Session by the Department of Public Safety on the status of the progress made in developing and implementing the simplified version of the electronic prescription accountability system."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 170, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A SIMPLIFIED REPORTING SYSTEM FOR VETERINARIANS TO COMPLY WITH PART VIII OF CHAPTER 329, HAWAII REVISED STATUTES, PERTAINING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused; and

H.C.R. No. 219, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A SIMPLIFIED REPORTING SYSTEM FOR VETERINARIANS TO COMPLY WITH PART VIII OF CHAPTER 329, HAWAII REVISED STATUTES, PERTAINING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM," was referred to the Committee on Finance, with Representatives Carroll, Saiki, Ward and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1440-12) recommending that H.R. No. 64, be adopted; and

(Stand. Com. Rep. No. 1441-12) recommending that H.C.R. No. 92, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 64; and H.C.R. No. 92, be adopted, seconded by Representative Evans.

At this time, the Chair addressed Representative Fontaine, stating:

"Representative Fontaine, what is the motion before this Body? It is a motion for ... Got it. For Adoption, now. This is not being referred to a Committee, but for it is for Adoption."

Representative Souki rose to speak in opposition to both measures, stating:

"Yes, Mr. Speaker. I think I got the right measure at this time, and I wish to vote nay on these measures. That's Stand. Com. Report Nos. 1440 and 1441. I make one mistake and I have to be reminded now all the time. I'm only kidding.

"Mr. Speaker, I wish to vote nay because I believe that the veterans don't need a flag of their own. Most of the veterans served under the different flags of their regiments, and that is the flag that they should remember. The flag that they served and fought under. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 64, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO ADOPT THE VETERANS REMEMBERED FLAG," was adopted, with Representative Souki voting no, and with Representatives Carroll, Saiki and Wooley being excused; and

H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO ADOPT THE VETERANS REMEMBERED FLAG," was adopted, with Representative Souki voting no, and with Representatives Carroll, Saiki and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1442-12) recommending that H.R. No. 80, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 80, entitled: "HOUSE RESOLUTION URGING CONGRESS TO CREATE A SEPARATE BRANCH OF THE UNITED STATES ARMED FORCES

TO COMBAT CYBER CRIMES, CYBER WARFARE, AND CYBER TERRORISM," was adopted, with Representatives Carroll, Saiki and Wooley being excused.

Representative Aquino, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1443-12) recommending that H.C.R. No. 109, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO CREATE A SEPARATE BRANCH OF THE UNITED STATES ARMED FORCES TO COMBAT CYBER CRIMES, CYBER WARFARE, AND CYBER TERRORISM," was adopted, with Representatives Carroll, Saiki and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1444-12) recommending that S.B. No. 2698, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2698, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Carroll, Saiki and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1445-12) recommending that S.B. No. 2419, SD 2, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1445-12 on S.B. No. 2419, SD 2, HD 3, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2419, SD 2, HD 3, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1446-12) recommending that S.B. No. 2221, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1446-12 on S.B. No. 2221, SD 1, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2221, SD 1, HD 1, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1447-12) recommending that S.B. No. 2871, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1447-12 on S.B. No. 2871, SD 1, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2871, SD 1, HD 2, were made available to the Members of the House.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1448-12) recommending that S.B. No. 2518, SD 1, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2518, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Saiki and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1449-12) recommending that S.B. No. 2971, pass Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2971, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Saiki and Wooley being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1450-12) recommending that S.B. No. 3039, SD 1, HD 1, pass Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 3039, SD 1, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Jordan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations, please. And as this measure moves forward hopefully, we can tighten up the verbiage on this measure to be more descriptive."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you Mr. Speaker. In support on Stand. Com. Report No. 1450-12. Mr. Speaker, it was somewhat troubling to hear the testimony from some of the advocates, who clearly indicated that there has not been one transplant, organ transplant, to a person who was HIV positive. We found it quite troubling. The Department of Health could not confirm that. Nevertheless, in the State of Hawaii, to date, we do not have one known case of an HIV person getting an organ transplant.

"Also concerning was that on the mainland, this has been occurring for 16 years. I think it might be illegal discrimination based on one's handicap status. So for those reasons, I support this measure. Thank you, Mr. Speaker."

Representative Fontaine rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just had slight reservations and the reason why is that I completely support the bill, but I was concerned about the defective date that was placed on it. And that's why I voted with reservations in the Committee. It has a defective date of July 1, 2050."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3039, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Saiki and Wooley being excused.

At 1:18 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2518, SD 1
S.B. No. 2971
S.B. No. 3039, SD 1, HD 1

THIRD READING

S.B. No. 2247, SD 2, HD 1:

Representative Chong moved that S.B. No. 2247, SD 2, HD 1, pass Third Reading, seconded by Representative Evans.

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. On S.B. 2247, I wish to speak with strong reservation. Even though I realize the need of an emergency coming about, and there could be a need for looking into personal communication, and electronic communication. But I'm afraid as this moves along, that it will broaden what constitutes an emergency. It will have kind of the shadow of Big Brother, which is similarly, within the bill overtaking us every day. Thank you, very much."

The motion was put to vote by the Chair and carried, and S.B. No. 2247, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Saiki and Wooley being excused.

At 1:20 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 2247, SD 2, HD 1

ANNOUNCEMENTS

Representative Awana: "Thank you, Mr. Speaker. Last year, the Members of this Body had the foresight to pass H.R. 212, and H.C.R. 249 to establish a sister relationship with Morocco. I'm pleased to announce that this afternoon, Governor Abercrombie along with Mr. M. Bouamor Taghouan, President of the Rabat-Sale-Zemmour-Zaer Region Council, Kingdom of Morocco, signed into a sister relationship with each other.

"So I just wanted to congratulate you, Mr. Speaker, as well as the Members of this Body in hopes that we can bridge friendships, relationships as well as understandings in the area of economic development, education, and other areas to another part of the country. Thank you."

Representative Takai: "Thank you, Mr. Speaker. A few days ago, we had a very unique and special ceremony in this Chamber. We recognized the family of fallen service members. And I recall, Mr. Speaker, the time that you and I met in 2005 in your office, and we talked a little bit about this concept. I can remember two things about that very first meeting. The first one is, that I don't think you and I thought that we would still be here doing this. And the second one is, I don't think that we would have anticipated how much of a profound impact that we've had on these families. We hear it almost daily, how much they appreciate our efforts from the State of Hawaii.

"So, Mr. Speaker, I wanted to thank you for not only giving me the opportunity to introduce and shepherd that bill through the Legislature, but for giving me the opportunity to, once again, coordinate this year's Hawaii Medal of Honor Ceremony, as well as the preparation prior. But it took many, many people, and I'd like to, at this time, with your indulgence, acknowledge some of them. Thank you, Mr. Speaker.

"I'd first like to thank all of our staff here and in the Senate: House Chief Clerk CJ Leong and her staff, Senate Chief Clerk Carol Taniguchi and her staff, House Sergeant at Arms Kevin Kuroda and his staff, Senate Sergeant at Arms Ben Villaflor and his staff, and Joan, House Majority Office and her staff.

"I wanted to recognize the Planning Committee, namely Senate President Shan Tsutsui and Ross Tsukenjo; you Mr. Speaker, and Calvin Azama; Senator Will Espero, and Marlene Uesugi; Representative Henry Aquino, and Maureen Andrade. In addition, we got support from Major General Darryll Wong, Brigadier General Joseph Kim, and Eleanor Thommes.

"We also had a beautiful reception following the ceremony, and I wanted to thank Maureen Andrade and Representative Aquino for coordinating this effort. A big *mahalo* also goes to Denise Liu from the House Clerk's staff that coordinated the check-in table. In addition, Reyna Kaneko and the Girl Scouts Council of Hawaii for their gifts of Girl Scout cookies distributed to each family member being honored. I also wanted to thank our Members who were hosts of these families. The pairing of legislators with families enhanced and really helped them.

"Special thanks also to Tammy Tengan from the House Print Shop for the beautiful programs and certificates signed by every Member of this Legislature. This certificate accompanies every single medal and is appreciated by the families that received them.

"We did get a lot of support and assistance from the military, and I wanted to recognize Elisia Lukasik from the U.S. Pacific Command who helped us coordinate the Ceremony's participants, and Leighton Siu who helped with protocol.

"I also want to mention some of the individuals who helped throughout the year in identifying those that we recognize. From the Army, we had Kole Miller, Chief of Protocol and Ernestine Pratt, Chief of the Army Casualty Affairs Office. From the Marines we had Peter Swainson, and from the Navy, we had Agnes Tauyan from the Navy Public Affairs Office.

"In addition, Mr. Speaker, as all of you noticed, the Medal itself is beautiful and I wanted to once again Sergeant First Class Aaron Pollock from the Hawaii National Guard who came up with the initial design, which has come to symbolize much more than the medal itself.

"But with that, a lot of other people participated, namely Point Emblems, who minted the medal this year. We had Kent Untermann and Valerie Wang from Pictures Plus who did the assembling and framing. Rose Lee from Rose Lee's Alteration, who helped sew the ribbons. And Ty and Cindy Tamanaha from Awardline who helped with the personalized plaques.

"In addition, I'd like to acknowledge those who helped us enrich the experiences of the family who traveled here attend the event. We worked very closely with the Pearl Harbor Historic Sites, the USS Bowfin Submarine Museum, the Battleship Missouri Memorial, The Pacific Aviation Museum, Pearl Harbor, and the World War II Valor in the Pacific National Monument, and they came through with support for the families. The Hale Koa Hotel, the Polynesian Cultural Center, Aloha Diners Club, and Morris Visitor Publications came through as well. We worked specifically with the Hawaii Hotel and Lodging Association to provide discounted hotel rates at participating hotels for the families. All of these organizations and entities help us, as we help the families, and made this a very special visit to Hawaii.

"Many people have asked about the 'Ōlelo broadcast and I want to make mention again, Mr. Speaker, that Capitol TV will be graciously providing all of us, as well as each family with a DVD, both present and not present, and they will be providing this to others as well.

"As we know as Representatives, Mr. Speaker, it takes much work to bring success not only to us, but also to these Chambers and the districts that we represent. I wanted to, as I have done in the past, recognize my staff, Lisa Vargas Omo, Jennifer Higa, April Pope and Robert Wojcik from my staff.

"You know, Mr. Speaker, we started this in 2005. And I just wanted to make mention that just a few days ago, we found out that Ohio became the fourth state to create a Medal of Honor. So for now, there are four of us, Hawaii, Alaska, New Hampshire and Ohio, who have honored the sons and daughters of their states and recognized them as we do in Hawaii.

"This medal went and continues to go to families with Hawaii ties. And so far, as of December 31st, 2011, a total of 308 medals have been awarded. Unfortunately, however, the list continues to grow and we will be having another ceremony next year. So, Mr. Speaker, at this time, I'd like to ask you and the Members of this House to recognize those that I mentioned before, and if we could give them a round of applause. Thank you, Mr. Speaker."

Speaker Say: "Madame Clerk, on the Medal of Honor program that the Members of the House received, can you include the acknowledgements of those individuals that are on the program, including the Planning Committee. Also a special acknowledgement to Representative Takai and

his Office Manager, Lisa Vargas Omo. And also her son who did the conch shell."

[Note: A copy of the Medal of Honor Program has been included in Journal for the 40th Day.]

Representative Ching: "Mr. Speaker, I just didn't know if this could be done, but a request to acknowledge, that I think that the Representative from Pearl City, who's idea this was. He's done so much work on this, and I think it just really reflects so well on this Chamber. This Medal of Honor. It's been one of the greatest memories that I have of this Chamber. I was wondering if we could give that Representative a round of applause, please."

Representative C. Lee: "Thank you, Mr. Speaker. I just wanted to announce today, and actually I thank one of our colleagues for reminding me, that this particular month is Sexual Assault Awareness Month. 1 in 7 women, and 1 in 71 men here in Hawaii will find themselves the victim of rape at some point in our lifetime. And putting it in the context of the Legislature, out of the 76 of us, that would mean that 4 women and 1 male legislator would find themselves in the same situation. So just to keep that in mind. Thank you."

Representative Jordan: "Yes, Mr. Speaker. As requested last week, may we have a moment of silence for Ashton Brown who passed away last week Wednesday due to a tragic accident in Makaha. Thank you."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of 3-year-old Ashton Brown and the members of the Brown family who were involved in a hit-and-run car accident last Wednesday.

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

S.C.R.

Nos. Referred to:

5, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
59	Committee on Transportation

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.R.

Nos. Re-referred to:

95	Committee on Transportation, then to the Committee on Finance
108	Committee on Human Services, then to the Committee on Finance
115	Committee on Finance

H.C.R.

Nos. Re-referred to:

68	Committee on Health, then to the Committee on Finance
124	Committee on Transportation, then to the Committee on Finance

146	Committee on Human Services, then to the Committee on Finance
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153	Committee on Finance
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S.B.

No.

Re-referred to:

2798, SD1	Committee on Human Services, then to the Committee on Finance
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ADJOURNMENT

At 1:30 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, April 03, 2012. (Representatives Carroll, Saiki, Ward and Wooley were excused.)